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and

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Attorneys for Defendant
Apollo Enterprise Solutions, LLC

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DEBT RESOLVE, INC.,

Plaintiff,

-v-

APOLLO ENTERPRISE SOLUTIONS, LLC,

Defendant.

07-cv-4531(JSR)

ECF Designated Case

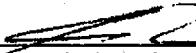
MOTION FOR LEAVE TO FILE UNDER SEAL

Defendant Apollo Enterprise Solutions, LLC ("Apollo") requests that this Court permit the filing of Apollo's Memorandum of Law in Support of Defendant's Motion for Summary Judgment of Patent Non-Infringement, the Declaration of Jennifer A. Trusso and Defendant's Local Rule 56.1 Statement under seal. The reason for filing this document under seal is because

the foregoing documents contain descriptions of Apollo's proprietary debt collection system and excerpts from the deposition of Apollo's President and CEO, G. Christopher Imrey, all of which contain information that has been designated by Apollo as "Confidential – Attorney's Eyes Only." Although the parties have not yet stipulated to a protective order in this case, counsel for Plaintiff has agreed to maintain the confidentiality of such information until a protective order is in place.

Accordingly, pursuant the parties' agreement pending a stipulated protective order, Apollo hereby respectfully requests that the Court grant the attached [Proposed] Order permitting the filing under seal of Apollo's Memorandum of Law in Support of Defendant's Motion for Summary Judgment of Patent Non-Infringement, the Declaration of Jennifer A. Trusso and Defendant's Local Rule 56.1 Statement.

Date: August 20, 2007
Newport Beach, California

By: 
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[PROPOSED] ORDER GRANTING DEFENDANT LEAVE TO FILE UNDER SEAL

WHEREAS, Defendant Apollo Enterprise Solutions, LLC (“Apollo”) has requested that this Court permit the filing of Apollo’s Memorandum of Law in Support of Defendant’s Motion for Summary Judgment of Patent Non-Infringement, the Declaration of Jennifer A. Trusso and Defendant’s Local Rule 56.1 Statement under seal;

WHEREAS, the foregoing documents contain descriptions of Apollo’s proprietary debt collection system and excerpts from the deposition of Apollo’s President and Chief Executive Officer, G. Christopher Imrey, all of which contain information that has been designated by Apollo as “Confidential – Attorney’s Eyes Only”; and

WHEREAS, counsel for Plaintiff has agreed to maintain the confidentiality of such information until a protective order is in place.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that Apollo's Motion for Leave to File Under Seal is GRANTED and the Clerk of Court is directed to file Apollo's Memorandum of Law in Support of Defendant's Motion for Summary Judgment of Patent Non-Infringement, the Declaration of Jennifer A. Trusso and Defendant's Local Rule 56.1 Statement under seal.

IT IS SO ORDERED:

Honorable Jed. S. Rakoff, U.S.D.J.